

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)**

SAUL ROSEMAN, Ph.D.

*

Plaintiff

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v

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Civil Action No. CCB 02 CV 462

BIOPOLYMER ENGINEERING, INC.

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Defendant

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MOTION TO REOPEN PURSUANT TO LOCAL RULE 111

Saul Roseman, Ph.D., Plaintiff ("Roseman"), by his attorney, Charles F. Morgan, pursuant to Local Rule 111 and the Settlement Order entered herein on December 19, 2002, hereby moves the Court for an Order reopening this action, and in support of this Motion states as follows:

1. The parties entered into a Settlement Agreement and Mutual Release dated March 1, 2003 (the "Agreement") pursuant to which Defendant, Biopolymer Engineering, Inc. ("BEI") agreed to pay Roseman a certain sum in settlement of this action on or before June 1, 2003. The specific terms of the Agreement are confidential.

2. BEI did not make payment of any of the settlement amount on or before June 1, 2003, and has not paid any of the settlement amount to date.

3. The Agreement provides that in the event the Court should enter a Settlement Order pursuant to Local Rule 111, the affidavit of counsel stating that BEI has failed to make payment of the settlement amount in whole or in part "shall constitute good cause within the meaning of Local Rule 111 to reopen the case."

4. Plaintiff's counsel's Affidavit stating that BET has failed to pay any or all of the settlement amount is attached hereto as Exhibit 1.

5. Roseman therefore has shown good cause for the Court to reopen this action.

WHEREFORE, Plaintiff requests that the Court enter an order pursuant to Local Rule 111 reopening the action.

Respectfully submitted,



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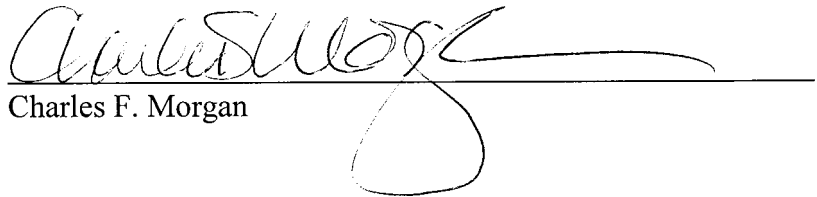
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of June, 2003, a copy of the foregoing Motion to Reopen Pursuant to Local Rule 111 was mailed first-class, postage prepaid to:

George R. Serdar, Esq.
1800 Fifth Street Towers
150 S. Fifth Street
Minneapolis, MN 55402

Attorney for Defendant



Charles F. Morgan

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ORDER

Upon consideration of the Plaintiff's Motion to Reopen Pursuant to Local Rule 111, and Defendant's response thereto, if any, good cause having been shown, it is this day of , 2003, hereby ORDERED that this action be and hereby is reopened.

United States District Judge